

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



----- X
ELI LILLY AND COMPANY,

Opposer,

v.

H. LUNDBECK A/S,

Applicant.
----- X

11-25-2002

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #72

OPPOSITION NO. 125,202

**PETITION ON CONSENT FOR
EXTENSION OF TESTIMONY TIME**

Opposer, with the consent of the Applicant's attorney, hereby requests that its testimony time be rescheduled to close January 7, 2003 and that all other times be reset accordingly. This is not being done for purposes of delay but to allow the parties time to discuss an amicable worldwide resolution.

The testimony periods would now be:

30-day testimony period for party in
position of plaintiff to close:

January 7, 2003

30-day testimony period of party in
position of defendant to close:

March 5, 2003

15-day rebuttal testimony period for
plaintiff to close:

April 22, 2003

Dated: New York, New York
November 21, 2002

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU,
P.C.

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on:

November 21, 2002

(Date of Deposit)

Marie V. Driscoll

(Name of person signing Certificate)

Marie V. Driscoll

(Signature)

November 21, 2002

(Date of Signature)

By:

Marie V. Driscoll

Marie V. Driscoll

Attorney for Opposer

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New York, New York 10017

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CERTIFICATE OF SERVICE

A copy of the foregoing Petition on Consent For Extension of Testimony Time has been mailed by first class mail postpaid this 21st day of November, 2002, to Applicant's attorney, William R. Hansen, at his current address Duane Morris LLP, 380 Lexington Avenue, New York, New York 10168 (formerly of Nims, Howes, Collison, Hansen & Atkins, LLP, 605 Third Avenue, Suite 3500, New York, New York 10158).

Marie V. Driscoll

Marie V. Driscoll

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November 21, 2002



Commissioner of Patents and Trademarks
2900 Crystal Drive
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11-25-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

Box TTAB - NO FEE

**Re: Eli Lilly and Company v. H. Lundbeck A/S
Opposition No. 125,202**

Gentlemen:

Enclosed are an original and two copies of Petition on Consent For Extension of Testimony Time in connection with the above-identified trademark. Please acknowledge receipt on the enclosed postcard.

Sincerely,

Marie

Marie V. Driscoll

MVD:tc
Enclosure

02 DEC -6 PM 9:30

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